

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/550,928 | COMPTON, MATTHEW | |
| | Examiner | Art Unit | |
| | CLARENCE JOHN | 2443 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/7/2011.
2. ☒ The allowed claim(s) is/are 1, 3 - 10, 17 - 22 and 24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <p>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____</p> <p>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</p> | <p>5. <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>3/17/2011</u>.</p> <p>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</p> <p>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</p> <p>9. <input type="checkbox"/> Other ____.</p> |
|---|---|

/PHUOC NGUYEN/
Primary Examiner, Art Unit 2443

/CJ/, Patent Examiner, Art Unit 2443, 3/17/2011

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the Attorney Mr. Marc Robinson, Reg. Number 59, 276 on 3/17/2011 at 2:30 p.m., EST, where the Examiner proposed to cancel Claims 11-16, 23 and amend Claim 18.

The Attorney agreed to cancel Claims 11-16, 23 and authorized to amend Claim 18 as follows:

Claim 18. (Currently Amended) A data network comprising: one or more network interface devices according to claim 1 connectable to a network and arranged to receive digital audio data representing an audio signal and to launch data packets representing the digital audio data onto the network, each network interface device including: an audio amplitude level detector having a processor programmed to generate, from audio properties of the digital audio data, audio amplitude level data representing an audio amplitude level of the audio signal; and a packetiser operable: to format the digital audio data into audio data packets to be launched onto the network, and to format the audio amplitude level data into audio amplitude level data packets, separate from the audio data packets, to be launched onto the network so that the audio amplitude level data packets can be received by a destination device

Art Unit: 2443

without the destination device receiving the audio data packets; and one or more network destination devices operable to

(1) receive the audio data packets representing ~~an~~ the audio signal launched onto the network and

(2) receive the audio amplitude level data packets carrying audio amplitude level data representing ~~an~~ the audio amplitude level of the audio signal launched onto the network without receiving the audio data packets, the one or more network destination devices comprising a user interface arranged to provide a user indication representing a current value of the audio amplitude level data, wherein ~~;~~ ~~and~~ ~~an~~ the network ~~providing~~ provides data communication between the one or more network interface devices ~~according to claim 1~~ and the one or more network destination devices.

Allowed Claims : 1, 3 - 10, 17 – 22 and 24.

Reasons for Allowance:

This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104(e). The substance of applicant's remarks filed on 11/16/2010 and applicant's authorization on 3/17/2011 further narrowed the Claim as presented above. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLARENCE JOHN whose telephone number is (571)270-5937. The examiner can normally be reached on Mon - Fri 8:00 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CJ/
Patent Examiner
Art Unit 2443
3/17/2011

Application/Control Number: 10/550,928
Art Unit: 2443

Page 5

/PHUOC NGUYEN/

Primary Examiner, Art Unit 2443